

Application No. 10/623,281
Amdt. dated May 8, 2006
Reply to Office Action of March 8, 2006

REMARKS/ARGUMENTS

Support for the amendments to the claims may be found through out the application as filed, specifically, paragraphs 11, 14 and 33.

Claims 37-44 are pending in this Application. The Office Action mailed on September 22, 2005, rejected claims 37-44 under 35 U.S.C. § 103(a). Applicants respectfully address the basis for the Examiner's rejections below.

Claims 37-44 are rejected under 35 U.S.C. § 103 as being unpatentable over Malloy, et al., in view of Schilli, et al.

Applicants respectfully submit that claims 37-44 are not obvious over United States Patent Number 5,577,947 to Malloy, et al., ("Malloy") in view of United States Patent Number 5,552,869 to Schilli, et al., ("Schilli") and are, therefore, allowable under 35 U.S.C. § 103(a) for the reasons stated below.

Applicant respectfully submits that claims 37-44 are not obvious over the cited art and are, therefore, allowable under 35 U.S.C. § 103(a). Applicants respectfully submit that the cited references do not disclose, teach or suggest all the claim elements, there is no reasonable expectation of success and there is no suggestion or motivation in the prior art to modify the reference or to combine reference teachings as proposed. See, MPEP § 2143; *In re Vacek*, 947 F.2d 488 (Fed. Cir. 1991).

In addition, the Examiner relies on the fact that the elements of the present invention can supposedly be found in the combination of references as the basis for finding both the motivation and suggestion to combine them. The standard enunciated by the Federal Circuit has clearly not been met. There is no citation to anything "concrete" in the record to support either the suggestion to combine the references nor the motivation to do so. The Examiner is asked to place on the record such evidence. Accordingly, Applicants respectfully request that the rejection of claim 33-44 be withdrawn.

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Conclusion

In light of the remarks, amendments and arguments presented above, Applicants respectfully submit that the claims in the Application are in condition for allowance. Favorable consideration and allowance of the pending claims 37-44 are therefore respectfully requested.

Applicants believe no fees are due at this time. If the Examiner has any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below.

Dated: May 8, 2006.

Respectfully submitted,



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